

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**ANDREW LECHTER; SYLVIA
THOMPSON; LAWSON F. THOMPSON;
RUSSELL DALBA; and KATHRYN
DALBA, on behalf of themselves and all
other similarly situated,**

Plaintiffs,

v.

**APRIO, LLP f/k/a HABIF, AROGETI &
WYNNE, LLP; ROBERT
GREENBERGER; SIROTE & PERMUTT,
P.C.; BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.;
SMITH, LEWIS & HALEY, LLP; DAVID
C. SMITH; FOREVER FORESTS LLC;
NANCY ZAK; JAMES JOWERS; LARGE
& GILBERT, INC.; CLOWER KIRSCH &
ASSOCIATES, LLC; JIM R. CLOWER,
SR.; TENNILLE & ASSOCIATES, INC.;
ATLANTIC COAST CONSERVANCY,
INC.; ROBERT D. KELLER; and
GEORGIA ALABAMA LAND TRUST,
INC. f/k/a GEORGIA LAND TRUST, INC.,**

Defendants.

CASE NO. 1:20-cv-01325-AT

**LARGE & GILBERT, INC.'S MOTION TO DISMISS
PLAINTIFFS' COMPLAINT, OR IN THE ALTERNATIVE,
MOTION FOR SUMMARY JUDGMENT**

Defendant Large & Gilbert, Inc. (“L&G”), pursuant to Rule 12 of the Federal Rules of Civil Procedure, hereby files this Motion to Dismiss, respectfully moving this Court to dismiss Plaintiffs’ Original Class Action Complaint (the “Complaint”) and all of the claims asserted against L&G with prejudice. In the alternative, L&G, pursuant to Rule 56 of the Federal Rules of Civil Procedure, files this Motion for Summary Judgment, respectfully moving this Court to grant L&G summary judgment on all of Plaintiffs’ claims against it in the Complaint. In support of this Motion, L&G relies on its memorandum of law and Declaration of Nathan Worthey filed herewith, and the documents of record in this action.

WHEREFORE, for the reasons set forth in its supporting memorandum filed herewith, L&G respectfully requests that this Court grant its Motion to Dismiss, or in the alternative grant its Motion for Summary Judgment, and enter an order dismissing all claims asserted against L&G, with prejudice.

Respectfully submitted this 17th day of June, 2020.

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CERTIFICATION OF COUNSEL

I hereby certify that the foregoing **LARGE & GILBERT, INC.’S MOTION TO DISMISS PLAINTIFFS’ COMPLAINT, OR IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT** has been prepared with Times New Roman, 14 point font, one of the font point selections approved by the Court in LR 5.1C.

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CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2020, I electronically filed the foregoing **LARGE & GILBERT, INC.'S MOTION TO DISMISS PLAINTIFFS' COMPLAINT, OR IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT** with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to the attorneys of record including:

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